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ABSTRACT

This document presents the definitions and special education eligibility requirements for the categories of educable mental retardation and trainable mental retardation for 13 states. Listings typically cite the appropriate state legislation or regulation, summarize the definition and/or eligibility criteria, and cite the source and its date. The 0tates included are: Alabama, Arizona, Delaware, Florida, Kansas, Kentucky, Michigan, North Carolina, North Dakota, New Jersey, Oklahoma, Tennessee, and West Virginia. JDB)

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ED 461 219

State Eligibility Criteria for

Educable Mentally Handicapped (EMH) and

Trainable Mentally Handicapped (TMH)

Compiled by the

Mid-South Regional Resource Center

May 28, 1997

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AL

Educable Mentally Retarded [290-080-090-.15 Exceptions to Alabama Administrative Code r. 290-080-090-.04(3) and (10)]

A student referred for special education and related services prior to July 1, 1986 will utilize the following eligibility criteria:

1) Educable mentally retarded children and youth are individuals who demonstrate the potential for the acquisition of academic skills up to a moderate level, the capability to develop independent functioning skills in the community and the ability to realize vocational and occupational adequacy resulting in full or partial self-sufficiency as an adult.

2) Psychometrically, the educable mentally retarded manifest an intelligence quotient between 50 and 75 and minimal deficits in adaptive behavior.

****Abstracted from *Alabama Regulations for Special Education*. (October 26, 1995). Montgomery, AL: Alabama Department of Education, Division of Special Education Services.**

AZ

1) In determining whether a child is **educable mentally handicapped, trainable mentally handicapped** or learning disabled, a comprehensive psychological evaluation, including an intellectual assessment. Such psychological evaluations shall be administered by a certified school psychologist, or be a certified psychometrist under the direction of a certified school psychologist. In addition, the adaptive behavior shall be assessed in determining whether a child is educable mentally handicapped or trainable mentally handicapped. Information regarding adaptive behavior shall be obtained from the parent or the primary caregiver.

2) An intellectual assessment shall be used but shall not be the exclusive evaluation device in considering a child for placement in classes for the handicapped.

****Abstracted from *Arizona Regulations for Special Education*. (December 1, 1993). Phoenix, AZ: Arizona Department of Education, Special Education.**

EC 306420

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Mental Disability (Formerly called Mental Handicap)

Definition

Mental disability is a condition describing significantly sub average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period. Specifically, this condition refers to those individuals whose performance on an individual intelligence test falls below a full scale I.Q. score of 70, plus or minus 5 points and displays a significantly sub average level of adaptive behavior. In this context, adaptive behavior refers to the degree of which the student meets the standards of personal independence and social responsibility, representing reasoning and judgment in master of the environment, expected for his or her age and cultural group. Mental disability is further defined by degree and by level of adaptive behavior.

DE Degree of Mental Disability is Further Defined as:

Educable Mental Handicap (EMH) - I.Q. 50-75, plus or minus 5 points.

Trainable Mental Handicap (TMH) - I.Q. 35-50, plus or minus 5 points.

Eligibility Criteria

A multidisciplinary team shall consider both the level of intellectual functioning and effectiveness of adaptive behavior, as measured by a licensed or certified school psychologist, in determining that a student has a mental disability and the degree of mental disability.

****Abstracted from *Administrative Manual: Programs for Exceptional Children.* (June 20, 1996). Dover, DE: Delaware Department of Public Instruction.**

Mentally Handicapped

A mental handicap is defined as significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period. Mentally handicapped students shall be defined as:

An **educable mentally handicapped** student is a student who is mildly impaired in intellectual and adaptive behavior and whose development reflects a reduced rate of learning. The measured intelligence of an educable mentally handicapped student generally falls between two (2) and three (3) standard deviations below the mean and the assessed adaptive behavior falls below that of other students of the same age and sociocultural group.

A **trainable mentally handicapped** student is a student who is moderately or severely impaired in intellectual and adaptive behavior and whose development reflects a reduced rate of learning. The measured intelligence of a trainable mentally handicapped student generally falls between three (3) and five (5) standard deviations below the mean and the assessed adaptive behavior falls below that of other students of the same age and sociocultural group.

Eligibility Criteria

A student is eligible for a special program for the **mentally handicapped** if there is evidence that the student meets all of the following criteria:

FL

a) The measured level of general intellectual functioning, is two (2) or more standard deviations below the mean as prescribed in Rule 6A-6.03011(1)(a)-(c), FAC. The standard error of measurement may be considered in individual cases. The profile of intellectual functioning shows consistent sub-average performance in a majority of areas evaluated;

b) The assessed level of adaptive behavior is below that of other students of the same age and sociocultural group; and

c) The demonstrated level of, performance in academic, preacademic, or developmental achievement is sub-average.

The minimum evaluation for determining eligibility shall include all of the following:

1) A standardized individual test of intellectual functioning individually administered by a professional person qualified in accordance with Rule 6A-6.071(6)(a), FAC.

2) A standardized assessment of adaptive behavior.

3) An individually administered standardized test of academic or preacademic achievement. A standardized developmental scale shall be used when a studentís level of functioning cannot be measured by an academic or preacademic test; and

4) A social-developmental history which has been compiled directly from the parent, guardian, or primary caregiver.

****Abstracted from *Florida Regulations for Special Education.* (May 1, 1997). Tallahassee, FL: Florida Department of Education, Bureau of Education for Exceptional Students.**

Educable Mental Retardation means:

a) Mild retardation according to the mental deficiency classification, as prescribed in *Definitions and Classifications in Mental Retardation, Ninth Edition*, edited by Luckasson, et. al., published by the American Association on Mental Deficiency, dated 1973, revised 1983 and 1992; and

b) Possession of functional capabilities which can be developed to aid the individual in interaction and decision-making.

KS **Trainable Mental Retardation** means:

a) Moderate retardation according to the mental deficiency classification, as prescribed in *Definitions and Classifications in Mental Retardation, Ninth Edition*, edited by Luckasson, et. al., published by the American Association on Mental Deficiency, dated 1973, revised 1983 and 1992; and

b) The ability to achieve independence in functional use of capabilities while accounting to an adult serving as an advocate.

****Abstracted from *Kansas Regulations for Special Education.* (January 16, 1996). Topeka, KS: Kansas State Board of Education, Special Education.**

Mental Disability

The ARC shall determine that the child or youth has a mental disability as defined in KRS 157.200 and is eligible for specially designed instruction and related services if evaluation information collected across multiple settings verifies:

(1) A **mild mental disability (educable mentally handicapped)** in which:

a. Cognitive functioning is at least two (2) but no more than three (3) standard deviations below the mean;

b. Adaptive behavior deficit is at least two (2) standard deviations below the mean;

c. A severe deficit exists in overall academic performance including acquisition, retention, and application of knowledge; and

d. Is manifested during the development period.

KY (2) **Functional mental disability (trainable mentally handicapped)** in which:

a. Cognitive functioning is at least three (3) or more standard deviations below the mean;

b. Adaptive behavior deficits are at least three (3) or more standard deviations below the mean;

c. A severe deficit exists in overall academic performance including acquisition, retention, and application of knowledge; and

d. Is manifested during the developmental period.

The ARC shall document its interpretations of evaluation information showing that the disability adversely affects educational performance and the child is eligible for specially designed instruction and related services. -

****Abstracted from *Kentucky Administrative Regulations Related To Exceptional Children.* (December 1994). Frankfort, KY: Kentucky Department of Education, Office of Special Instructional Services.**

Trainable Mentally Impaired (R 340.1704)

Rule 4. (1) The trainable mentally impaired shall be determined through manifestation of all of the following behavioral characteristics:

a) Development at a rate approximately 3 to 4 1/2 standard deviations below the mean as determined through intellectual assessment.

b) Lack of development primarily in the cognitive domain.

c) Impairment of adaptive behavior.

(2) A determination of impairment shall be based upon a comprehensive evaluation by a multidisciplinary evaluation team which shall include a psychologist.

(3) A determination of impairment shall not be based solely on behaviors relating to environmental, cultural, or economic differences.

Educable Mentally Impaired (R 340.1705)

Rule 5. (1) The educable mentally impaired shall be determined through the manifestation
MI of all of the following behavioral characteristics:

a) Development at a rate approximately 2 to 3 standard deviations below the mean as determined through intellectual assessment.

b) Scores approximately within the lowest 6 percentiles on a standardized test in reading and arithmetic. This requirement shall not apply if the child is not age or grade appropriate for the formal or standardized testing.

c) Lack of development primarily in the cognitive domain.

d) Impairment of adaptive behavior.

(2) A determination of impairment shall be based upon a comprehensive evaluation by a multidisciplinary evaluation team which shall include a psychologist.

(3) A determination of impairment shall not be based solely on behaviors that relate to environmental, cultural, or economic differences.

****Abstracted from *Revised Administrative Rules for Special Education*. (April 9, 1997). Lansing, MI: Michigan Department of Education, Office of Special Education Services.**

Mentally Handicapped

For school-age students the assessment process will provide information to indicate whether the child needs a program for the mildly retarded (educable mentally handicapped), moderately retarded (trainable mentally handicapped), or severely/profoundly mentally handicapped.

NC The intelligence quotient range for placement in programs for the educable mentally handicapped is 50-69 plus or minus one standard error of measurement. The intelligence quotient range for placement in programs for the trainable mentally handicapped is 30-49 plus or minus one standard error of measurement. Children scoring in over-lapping areas between the educable mentally handicapped, trainable mentally handicapped and severely/profoundly handicapped ranges shall be provided services in the least restrictive appropriate environment.

NOTE: NOT applicable for preschool children.

****Abstracted from *Procedures Governing Programs and Services for Children with Special Needs*. (1996). Raleigh, NC: North Carolina Department of Public Instruction, Exceptional Children Division.**

Educable Mentally Handicapped

Eligibility

1) Any student enrolled shall have had a team evaluation including an individually administered psychological test by a qualified examiner indicating a full scale I.Q. score of 50-75.

ND 2) The studentís primary deficit will be in the area of intellectual functioning. In addition, the student may exhibit deficits in motor, emotional, and social development. These major deficits may be expected to continue over time. An appropriate educational program will increase the probability that the individual will live and work independently in the community.

3) A student may not be placed in a special education program based on the basis of one test.

****Abstracted from *North Dakota Regulations for Special Education.* (May 22, 1997). Bismarck, ND: North Dakota Department of Public Instruction, Special Education.**

Educable Mentally Retarded children are those who may be expected to succeed with a minimum of supervision in homes and schools and community life and are characterized particularly by reasonable expectation that at maturity they will be capable of vocational and social independence in competitive environment.

Educable means a level of cognitive development and adaptive behavior in home, school and community settings that are moderately below age expectations with respect to all of the following:

1) The quality and rate of learning;

2) The use of symbols for the interpretation of information and the solution of problems;

3) Performance on an individually administered test of intelligence that falls within a range of two to three standard deviations below the mean.

NJ

Trainable Mentally Retarded children are those who are so retarded that they cannot be classified as educable but are, notwithstanding, potentially capable of self-help, of communicating satisfactorily, or participating in groups, of directing their behavior so as not to be dangerous to themselves or others and of achieving with training some degree of personal independence and social and economic usefulness within sheltered environments.

Trainable means a level of cognitive development and adaptive behavior that is severely below age expectations with respect to all of the following:

1) The ability to use symbols in the solution of problems of low complexity;

2) The ability to function socially without direct and close supervision in home, school and community settings.

3) Performance on an individually administered test of intelligence that falls three standard deviations or more below the mean.

****Abstracted from *New Jersey State Education Laws* and *New Jersey Regulations for Special Education.* (March 3, 1995). Trenton, NJ: New Jersey Department of Education, Office of Special Education Programs.**

Educable mentally handicapped means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affects a childís educational performance.

OK

NOTE: According to the *Oklahoma Regulations for Special Education,* the levels of mental retardation, **ieducableî** and **itrainableî**, will no longer be used. The team may identify degrees of mental retardation as mild, moderate, severe, or profound; or the levels of support needed, as recommended by the American Association on Mental Retardation.

****Abstracted from *Oklahoma State Special Education Laws*. (July 26, 1995). Oklahoma City, OK: Oklahoma Department of Education, Special Education Section.**

Mentally Retarded

Definition

Mental retardation refers to substantial limitations in present levels of functioning. It is characterized by significantly subaverage intellectual functioning, existing concurrently with related limitations in two or more of the following applicable adaptive skill areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work.

Eligibility Criteria

TN

A child must meet all of the following:

ï Significantly impaired intellectual functioning, with a full scale I.Q. of 74 or less, which includes the standard error of measurement.

ï Significantly impaired adaptive behavior in the home or community;

ï Significantly impaired adaptive behavior in the school, day care center or residential program.

****Abstracted from *Eligibility Standards for Special Education*. (May 1994). Nashville, TN: Tennessee Department of Education, Division of Special Education.**

Mentally Impaired

(The following definition and eligibility criteria became effective July 1, 1996):

Mental Impairments are substantial limitations in present functioning characterized by significantly subaverage intellectual functioning existing concurrently with related limitations in two or more of the following applicable adaptive skill areas: communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure, and work. Mental impairments manifest before age 18.

Eligibility Criteria:

WV

a) general intellectual functioning is approximately 70 to 75 or below on scales with a mean of 100 and standard deviation of 15;

b) related limitations in two or more adaptive skill areas substantially below the average level of functioning; and

c) age of onset is 18 or below.

****Abstracted from *Policy 2419: Regulations for the Education of Exceptional Students*. (September 26, 1996). Charleston, WV: West Virginia Department of Education, Office of Special Education Programs.**

Mentally Impaired

(The following definition and eligibility criteria were effective until June 30, 1996)

a. Mental impairments are evidenced by significantly subaverage general intellectual functioning resulting in or associated with impairments in adaptive behavior and manifested during the developmental period.

1) The term **mildly mentally impaired (educable)** refers to those students who require specially designed instruction in basic academic and practical skills in order to develop adequate social, personal and vocational competence sufficient for self-maintenance.

Eligibility Criteria:

a) general intellectual functioning between minus two (2) and minus three (3) standard deviations with consideration of 1.0 standard error of measurement at the 68% confidence interval;

b) levels of adaptive behavior between minus two (2) and minus three (3) standard deviations in one or more of the following areas: motor development, self-help skills, social/emotional functioning or communication.

c) levels of achievement at or below minus two (2) standard deviations in one or more of the following academic areas: reading recognition, reading comprehension, math computation, math reasoning, spelling or written expression; and

WV

d) educational performance is adversely affected.

2) The term **moderately mentally impaired (trainable)** refers to those students who require special instruction in basic communication, sensorimotor, self-help, and independent-living skills and vocational training in order to function in employment/supported employment and community living/supervised community living.

Eligibility Criteria:

a) general intellectual functioning between minus three (3) and minus four (4) standard deviations with consideration of 1.0 standard error of measurement at the 68% confidence interval;

b) levels of adaptive behavior at or below minus three (3) standard deviations in one or more of the following areas: motor development, self-help skills, social/emotional functioning or communication and

c) educational performance is adversely affected.

****Abstracted from *Policy 2419: Regulations for the Education of Exceptional Students.* (September 26, 1996). Charleston, WV: West Virginia Department of Education, Office of Special Education Programs.**